

COVID – 19 GUIDANCE TAXING OFFICE

9 SEPTEMBER 2020

Case Management

In relation to those cases which have previously been listed or which would require a hearing, the Taxing Master will undertake case progression with a gradual and incremental approach.

On Civil Legal Aid taxations most appeals by Legal Representatives against the Master's taxation will be dealt with by way of short written submissions.

On Party & Party taxations, time should be used constructively. All parties should engage meaningfully to try to resolve matters with every effort made to settle costs. Where it is likely that costs will ultimately settle, hearings should be avoided.

Lists of the relevant cases will issue via the Law Society, Bar Library, or to representative persons or Legal Firms involved.

- For all the cases on this list (and those to be subsequently notified in additional lists) Legal Professionals/Representatives/Litigant's in person will be asked to complete [Form TO1](#) collaboratively in full, for each case notified and lodge it by email to the Taxing Office by the specified return date at taxingoffice@courtsni.gov.uk, or by post to The Court of Judicature Taxing Office, Royal Courts of Justice, Chichester Street, Belfast, BT1 3JF. For the cases in Phase 1 forms should be returned no later than 5pm Thursday 1st October 2020.
- The Taxing Office may contact parties direct by telephone, e-mail, or letter to ascertain the position of the case and to enquire if the matter is still required to be brought before the court.

Contested Matters

In the event that the parties cannot agree a position, the matter may be listed for hearing or dealt with by way of written submissions on the papers.

Where there is a need for the matter to be resolved by the court, the Master may facilitate a hearing if necessary via one of the following options:

- Remote Hearing (using Sightlink or WebEx);
- Hybrid Hearing (partly remote/partly live);
- Telephone Conference or;
- Live Hearing (only when deemed absolutely necessary).

Hearings

- Where a hearing is requested by any party, the parties may suggest the means by which they will engage with the court to inform the Master's determination of how to progress matters.

- The Master will consider the requisite form and any supporting papers lodged.
- If the Master determines a hearing is required the parties will be notified of the date and time.
- All other matters may be determined by the Master administratively without a hearing.
- Parties should note that any live hearings before the Master will be strictly timetabled and capacity within courtroom will be restricted to 3 persons (including the Master) to ensure compliance with social distancing requirements and in compliance with Public Health Agency advice.
- Prior to the commencement of remote or hybrid hearings, parties may be asked to provide information to confirm their identity.

Conduct of Remote Hearings

- All parties are reminded that remote hearings, or hybrid hearings form part and is an extension of the court. All participants must conduct themselves accordingly.
- Further information about the overriding principles relating to remote hearings can be found at:
<https://judiciaryni.uk/sites/judiciary/files/decisions/Practice%20Direction%2001-20.pdf>